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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
CASIANO, ANGEL L	
ART UNIT	**PAPER NUMBER**
2182	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/848,662	SINGHAL ET AL.	
	Examiner	Art Unit	
	Angel L. Casiano	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

- The present Office action is in response to communication dated 28 November 2005.
- Claims 1-37 are pending.

Claim Rejections - 35 USC § 112

1. Previous Rejections under 35 U.S.C. §112, second paragraph have been overcome with the submission of the After Final Amendment, now entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7-13 and 18-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Makipaa [WO 00/72595 A1].

Regarding claim 1, Makipaa teaches a system (see Abstract) for providing a network adapter (see Figure 1, "INA") for one or more access points in a local area network environment (see Page 1, lines 3-7). The reference also includes means for connecting said one or more access points to a wired network and means for connecting said one or more access points to a wireless network (see Figure 1; see Page 2, line 29 to Page 3, line 10). In addition, Makipaa teaches means for enforcing a managed network environment (see Page 3, lines 11-26). Makipaa also teaches means for communicating with a network control server (see Figure 1, "T3" and Page6, line 20 to Page 7, line 7). Makipaa teaches a network adapter (see Figure 1, "INA") to filter data received from the network (see Page 3, lines 11-26).

As for claim 2, Makipaa teaches a wireline network interface (see Figure 1).

As for claim 3, Makipaa teaches a wireless network interface (see Figure 1).

As for claim 4, Makipaa teaches the wireless network interface coupled to a wireless access point (see Figure 1).

As for claim 5, Makipaa teaches a wireless access point as comprising an 802.11 type (see *IEEE 802.11*, Page 5, line 31 to Page 6, line 2).

As for claim 7, Makipaa teaches communication using a Local Area Network (LAN) port (see Page 7, lines 8-18).

As for claims 8 and 9, Makipaa teaches enforcing a managing network, environment, including an IP stack (see Page 3, lines 11-26 and *Internet*, Page 1, lines 25-26 and Page 2, lines 9-16). A Mobile IP Foreign Agent is an example of the type of IP protocol stack that could be maintained by the system as disclosed by Makipaa.

As for claim 10, Makipaa teaches detecting and handling packets corresponding to a plurality of network services (see "services to terminal", Abstract and Page 1, lines 3-7).

As for claim 11, Makipaa teaches coordination software (see Page 8, claims 1 and 3).

As for claim 12, Makipaa teaches wireline interfaces (see Figure *1*).

As for claim 13, Makipaa teaches wireline interfaces (see Figure 1).

As for claims 18-20, Makipaa teaches (see Page 1, lines 25-26) different standards for allowing the network control server (see "T3", Page 6, lines 24-31) to communicate. However, Makipaa does not explicitly recite the network control server as being "co-located" with the network adapter, a core server or a routing coordinator. Nonetheless, the reference teaches a network adapter for accessing a server (see Page 6, lines 23-31) and communication over a wireless link (see Figure 1). Accordingly, this would allow for users to "physically move" while providing services.

As per claim 21, the system disclosed by Makipaa includes a PC (see Page 5, line 35).

As per claim 22, Makipaa teaches software stored within access points (see Page 6, lines 3-19).

As for claim 23, Makipaa teaches a network control server as being "distributed" over a wired network (see Page 7, lines 8-11).

As for claim 24, Makipaa teaches communication using a Local Area Network (LAN) port (see Page 7, line 9).

As for claim 25, Makipaa teaches ability to connect to other networks (see Page 7, lines 8-11).

As for claim 26, Makipaa does not explicitly recite the network adapter as being "co-located" with a Handoff Management Point, Home Address Masquerader or a Foreign Address Masquerader. However, the reference teaches (see Page 5, line 31 to Page 6, line 2) different standards for allowing the network adapter to communicate. These are examples of the types of connection points that could be implemented by the system as disclosed by Makipaa.

Regarding independent claim 27, Makipaa teaches the network adapter for one or more access points in a LAN environment. Therefore, the cited reference also teaches the method for providing the network, as presented in claim 27. This claim is rejected under the same basis.

As for dependent claims 28-33, these correspond to the method for providing the network adapter disclosed in previous claims,

now rejected. Makipaa teaches the corresponding limitations for the network adapter and therefore teaches the limitations for the method claimed. Claims 28-33 are rejected under the same basis.

Regarding claim 34, Makipaa teaches a system (see Abstract) for providing a network adapter (see Figure 1, "INA") for one or more access points in a local area network environment (see Page 1, lines 3-7). The reference also includes means for connecting said one or more access points to a wired network and means for connecting said one or more access points to a wireless network (see Figure 1; Page 2, line 29 to Page 3, line 10). In addition, Makipaa teaches means for enforcing a managed network environment (see Page 3, lines 11-26). Makipaa also teaches means for communicating with a network control server (see Figure 1, "T3" and Page 6, line 20 to Page 7, line 7). Makipaa teaches a network adapter (see Figure 1, "INA") to filter data received from the network (see Page 3, lines 11-26). Furthermore, Makipaa teaches enforcing a managing network environment including an IP stack (see Page 3, lines 11-26 and *Internet*, Page 1, line 20 to Page 2, line 17), as well as coordination software (see Page 8, claims 1 and 3).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to

point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Makipaa [WO 00/72595 A1] in view of Parrott [US 2003/0069996 A1].

As for claim 6, Makippa does not teach a wireless access point comprising a Bluetooth-type access point. Parrott teaches a Bluetooth wireless access point (see paragraph [0041]). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to allow an apparatus to "instantly link to an RF data system", as taught by Parrott (see Id.)

8. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makipaa [WO 00/72595 A1] in view of Oz et al. [US 6,434,141 B1].

As for claim 14, Makipaa does not teach the network adapter as coupled to a switch and the switch coupled to a plurality of

short-range wireless access points. As for this limitation, Oz et al. teaches a network adapter coupled to a switch (see Figure 6, "274" and "276"). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to have an improved system for directing data received from media sources to network transmitters for transmitting over a broadband network, as taught by Oz et al. (see Abstract).

As for claim 15, Oz et al. teaches forwarding packets to a segment containing the network adapter (see col. 10, lines 43-49). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures for the reasons stated above.

As for claim 16, Oz et al. teaches forwarding packets not originating from a network segment containing the network adapter and destined to an access point segment to the segment containing the network adapter (see col. 10, lines 61-62 and col. 15, lines 46-61). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures for the reasons stated above.

As for claim 17, Oz et al. teaches forwarding all packets to the network adapter (see Figure 6 and col. 15, lines 55-61). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures for the reasons stated above.

9. Claims 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makipaa [WO 00/72595 A1] in view of Yamano [US 6,636,516 B1].

As or claim 35, Makipaa does not teach packet filtering carried out in accordance with at least one of security and quality of service policies of a managed network environment. Yamano teaches packet filtering carried out in accordance with a quality of service (QoS) policy (see Abstract and col. 5, lines 38-56). At the time of the invention one of ordinary skill in the art would have been motivated to combine the cited disclosures in order to obtain automatic connections through the Internet for *different quality of services* (as taught by Yamano in col. 2, lines 7-10).

As for claim 36, Yamano teaches packet rewriting in accordance with policies of the network environment (see col. 5,

lines 50-51). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures for the reasons stated above.

As for claim 37, Yamano teaches enabling network address translation (see col. 4, lines 5-8 and Figure 3). At the time of the invention, one of ordinary skill in the art would have been motivated to combine the cited disclosures for the reasons stated above.

Response to Arguments

8. Applicant's arguments (see communication dated 03 October 2005), with respect to claims 1-37 have been fully considered and are persuasive. The Final office action of 26 August 2005 has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Makipaa, WO 00/72595 A1; Parrott, US Patent Pub. 2003/0069996 A1; Yamano, US Patent No. 6,636,516 B1; and Oz et al, US Patent No. 6,434,141 B1.

9. Attorney for applicants contacted the Examiner and discussed the effective dates for the references cited in the Final Office action dated 26 August 2005. Examiner acknowledged that these references did not qualify as prior art, due to the priority

claim of the present application (08/11/2000), as stated in the After final response.

The present Final Office action resets the period of response and includes new grounds of rejection based on prior art according to the date established by the priority claim.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angel L. Casiano whose telephone number is 571-272-4142. The examiner can normally be reached on 9:00-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on 571-272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

24 February 2006
alc

KIM HUYNH
SUPERVISORY PATENT EXAMINER
3/6/06